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Attorneys for Defendant  
STIHL Incorporated

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JOSHUA C. EVANS, individually,  
  
Plaintiff,

vs.

STIHL INCORPORATED, a Delaware  
corporation; DOES 1 through 25; ROE  
CORPORATIONS 1 through 25, inclusive,  
  
Defendants.

Case No.: 2:15-cv-02329-JAD-VCF

**JOINT MOTION FOR EXTENSION OF  
TIME TO SUBMIT ESI PROTOCOL  
(SECOND REQUEST)**

Pursuant to this Court's Order Granting Defendant's Motion to Extend Time to Submit ESI Protocol [Dkt. No. 32], Defendant STIHL Incorporated, by and through its attorneys of record, Snell & Wilmer L.L.P., and Plaintiff Joshua C. Evans ("Plaintiff"), by and through his attorneys of record, hereby file this joint motion for a 4 day extension of the March 10, 2016 deadline to file an Electronically Stored Information (ESI) protocol. The parties submit this joint motion based on the following:

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The parties are presently working diligently to develop and file an ESI protocol. On February 18, 2016, Plaintiff's counsel sent counsel for STIHL Incorporated an initial draft of the ESI protocol. Because of the detailed procedures involved in the ESI protocol, STIHL Incorporated needed additional time to review Plaintiff's initial draft and provide its suggested revisions. On March 7, 2016, STIHL Incorporated's counsel sent Plaintiff's counsel a draft of STIHL Incorporated's ESI protocol for their consideration, proposing that Plaintiff adopt STIHL Incorporated's proposed ESI protocol in lieu of Plaintiff's proposed ESI protocol. On the evening of March 9, 2016, Plaintiff's counsel sent STIHL Incorporated's counsel Plaintiff's requested revisions to STIHL Incorporated's proposed ESI protocol. STIHL Incorporated is currently drafting a counterproposal for Plaintiff's consideration in hopes of resolving the parties' disagreements as to the ESI Protocol without this Court's assistance. In addition, Plaintiff is currently drafting what Plaintiff believes will be a "middle ground" regarding the areas of disagreement in STIHL Incorporated's proposed ESI. To this end, the parties are in the process of scheduling a meet and confer telephone call for March 11, 2016, to hopefully resolve any remaining disagreements with respect to an ESI protocol. In light of the foregoing, STIHL Incorporated requested, and Plaintiff agreed to, a short, 4 day extension of the March 10, 2016 deadline to file an ESI protocol. Therefore, the parties respectfully request an additional 4 days, up to and including March 14, 2016, to finalize and file an ESI protocol.

DATED this 10th day of March, 2016.

SNELL & WILMER LLP.

Law Office of April N. Bonifatto

By: /s/ Morgan T. Petrelli  
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Attorneys for Plaintiff  
JOSHUA C. EVANS

**CERTIFICATE OF SERVICE**

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On this date, I caused to be served a true and correct copy of the foregoing **JOINT MOTION FOR EXTENSION OF TIME TO SUBMIT ESI PROTOCOL (SECOND REQUEST)** by the method indicated below:

<u>XXXXXX</u>	Electronic Service (CM/ECF)	_____	Federal Express
_____	U.S. Mail	_____	U.S. Certified Mail
_____	Facsimile Transmission	_____	Hand Delivery
_____	Email Transmission	_____	Overnight Mail

and addressed to the following:

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Attorneys for Plaintiff

DATED this 10th day of March, 2016.

/s/ Tonya C. Stephenson  
An Employee of Snell & Wilmer L.L.P.

**IT IS SO ORDERED.**

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**UNITED STATES MAGISTRATE JUDGE**  
**DATED:** 3-10-2016